

**REMARKS****I. Introduction**

Claims 1-27 are pending in the application. Upon entry of this amendment, claims 1, 4-10, 12-16, 18-20, and 23 will be amended, claims 24-27 will be canceled, and claim 28 will be added. Thus, claims 1-23 and 28 will be pending. No new matter is believed added by this amendment. Support for the amendments exists in the specification and claims as originally filed.

Claims 1-16 and 18-23 stand rejected under 35 U.S.C. §102 for being anticipated by U.S. Patent Publication No. 2002/0090953 A1 ("Aburai"), and claim 17 stands rejected under 35 U.S.C. §103 as being unpatentable over Aburai in view of U.S. Patent No. 6,516,190 ("Linkola"). Further, several paragraphs of the specification and claim 23 are objected to for containing informalities.

Applicants respectfully request reconsideration and further examination of the pending claims in view of the arguments presented herein.

**II. The Examiner's Objections**

Three paragraphs of the specification and claim 23 are objected to for containing certain informalities. Applicants thank the Examiner and accordingly amend the three paragraphs and claim 23 herein to remove the informalities. Applicants therefore respectfully request that the objections to the specification and claim 23 in particular, be withdrawn.

**III. Claims 1 through 23**

Claims 1-23 stand rejected under 35 U.S.C. § 102 or 103 as being anticipated by or obvious over Aburai and/or Linkola.

Aburai discloses a system that prevents mobile communication devices from operating in certain areas. For example, a communication control device may transmit a prohibited mode control signal to a cell phone when the phone is brought into a particular area in a hospital. Aburai also discloses that mobile communication devices can be prevented from operating in a prohibited area during certain times. Note that all communications devices in an area at the same

time are treated in the same way (e.g., every cell phone that is brought into a hospital ward at night might be automatically turned off).

Claims 1-23 as amended recite (i) arranging for a first mobile user device in a location to operate in accordance with a location policy and first user device information and (ii) arranging for a second mobile user device in the location at the same time as the first mobile user device to operate in accordance with the location policy and second user device information. Moreover, "it is arranged for the second mobile user device to operate differently than the first mobile user device." For example, a teacher's handheld computer might be allowed to exchange information with other devices during an examination while handheld computers used by students are prevented from doing so.

Nothing in Aburai or Linkola discloses such a feature. Nor would such a feature be obvious over either of these references. In particular, nothing in the references suggests such a feature or provides any motivation to change the systems in such a way. Applicants respectfully request the rejections of claims 1-23 be withdrawn.

#### **IV. Claim 17**

Claim 17 stands rejected under 35 U.S.C. §103 as being unpatentable over Aburai in view of Linkola. Claim 17 is believed patentable at least as depending upon a patentable base claim (e.g., for the reasons described above). Further, Applicants respectfully traverse this grounds for rejection as follows.

Applicants respectfully suggest that there is simply no motivation in either reference to make the combination suggested by the Examiner, and that the Examiner has not pointed to a specific teaching or suggestion in the prior art but has merely provided an unsupported conclusion. Applicants respectfully suggest that the Examiner has not met the *prima facie* burden of obviousness for claim 17.

Applicants therefore respectfully request that the §103 rejection of claim 17 be withdrawn.

**V. Claim 28**

Applicants respectfully assert that Aburai does not teach, suggest, or render obvious embodiments as described newly presented claim 28. For example, Aburai fails to teach or suggest determining a second policy associated with at least one of a mobile device and a user of the mobile device.

Initially it should be understood that some embodiments (like those generally described in claim 28) are directed to the determination of two policies. For example, a location policy (*i.e.*, a first policy) may indicate that mobile devices are not allowed to communicate in a school (*e.g.*, to prevent cheating on tests, etc.). (See, [0033]; Fig. 6). A device policy (*i.e.*, a second policy) may indicate, for example, that a particular device is operated by a teacher, police officer, or Emergency Medical Technician (EMT). (See, [0034]). In some embodiments, the second policy may permit certain mobile devices (such as those used by teachers, police officers, etc.) and/or certain individuals to operate mobile devices (*e.g.*, in accordance with a device policy or second policy) even in areas having restricted use policies (*e.g.*, location policies or first policies).

In contrast to currently claimed embodiments, Aburai fails to disclose the use of two policies. The system described in Aburai stores and utilizes only a single policy - a location policy. [0021]. Nowhere does Aburai describe the determination of a second policy such as a mobile device policy. The information associated with a mobile device that Aburai contemplates storing is limited to "telephone and ID numbers..., position information..., and a time at the time of position measurement." [0027]. None of these pieces of information constitutes a second policy. Instead, Aburai uses a single policy to modify the functionality (*e.g.*, "power off" or switch to "automatic answering mode") of all devices in designated areas. [0033].

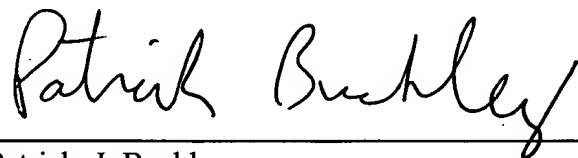
Applicants therefore respectfully assert that Aburai fails to anticipate (or render obvious) embodiments as recited in claim 28, at least because Aburai fails to teach or suggest determining a second policy associated with at least one of a mobile device and a user of the mobile device.

Further, Applicants respectfully assert that there is simply no motivation in Aburai to modify any other reference to provide the claimed feature of determining a second policy associated with at least one of a mobile device and a user of the mobile device.

**VI. Conclusion**

Accordingly, Applicants respectfully assert that each of the pending claims is patentable over the cited references. Applicants therefore respectfully request that the Examiner's rejection of the pending claims be withdrawn and that all pending claims be allowed. Applicants' silence with respect to other comments made in the Office Action does not imply agreement with those comments. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-0191.

Respectfully submitted,



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